

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re United States Patent of

Joseph A. Yaccarino, III

Patent No.: 6,025,538

Issued: February 15, 2000



Attorney Docket No.: X-9269

For: COMPOUND BONE STRUCTURE
FABRICATED FROM ALLOGRAFT
TISSUE

CONSENT BY THE ASSIGNEE UNDER 37 C.F.R. § 1.324

Assistant Commissioner for Patents
Washington, D.C. 20231

Sir:

SYNTHES (USA), a General Partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, PA 19301, as joint Assignee of the entire right, title and interest in, to and under the invention and U.S. Patent No. 6,025,538 issued February 15, 2000 entitled "COMPOUND BONE STRUCTURE FABRICATED FROM ALLOGRAFT TISSUE" hereby consents to the correction of U.S. Patent No. 6,025,538 to add David C. Paul as named co-inventor.

SYNTHES (USA), certifies that it is joint Assignee of the entire right, title and interest in, to and under the invention of U.S. Patent No. 6,025,538, pursuant to an assignment executed by David C. Paul, a presently named co-inventor of U.S. Patent No. 6,025,538, a copy of which is enclosed.

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under section 1001 of

Title 18 of the United States Code and that such willful false statements may jeopardize the validity of the Patent.

Signed this 15th day of August, 2001.

SYNTHES (USA)

By: Jessie B. Hill
Name: Jessie B. Hill, Esq.

Title: Director, Legal Affairs

ASSIGNMENT

WHEREAS, I, DAVID C. PAUL, ASSIGNOR, citizen of India, residing at 405 Greene Lane, Phoenixville, PA 19460, co-inventor together with JOSEPH A. YACCARINO, III, of the invention in COMPOUND BONE STRUCTURE FABRICATED FROM ALLOGRAFT TISSUE which issued February 15, 2000 as U.S. Patent No. 6,025,538.

☐ which was filed on November 20, 1998, Application No. 09/196,251.

and WHEREAS, SYNTHES (USA), ASSIGNEE, a General Partnership existing under the laws of the Commonwealth of Pennsylvania and having a place of business at 1690 Russell Road, Paoli, PA 19301 is desirous of obtaining my entire right, title and interest in, to and under the said invention and the said application:

NOW, THEREFORE, in consideration of the sum of One Dollar (\$1.00) to me in hand paid, and other good and valuable consideration, the receipt of which is hereby acknowledged, I, the said ASSIGNOR, have sold, assigned, transferred and set over, and by these presents do hereby sell, assign, transfer and set over, unto the said ASSIGNEE, its successors, legal representatives and assigns, my entire right, title and interest in, to and under the said invention, and the said United States application and all divisions, renewals and continuations thereof, and all Patents of the United States which may be granted thereon and all reissues and extensions thereof; and all applications for industrial property protection, including, without limitation, all applications for patents, utility models, and designs which may hereafter be filed for said invention in any country or countries foreign to the United States, together with the right to file such applications and the right to claim for the same the priority rights derived from said United States application under the Patent Laws of the United States, the International Convention for the Protection of Industrial Property, or any other international agreement or the domestic laws of the country in which any such application is filed, as may be applicable; and all forms of industrial property protection, including, without limitation, patents, utility models, inventors' certificates and designs which may be granted for said invention in any country or countries foreign to the United States and all extensions, renewals and reissues thereof;

AND I HEREBY authorize and request the Commissioner of Patents and Trademarks of the United States, and any Official of any country or countries foreign to the United States, whose duty it is to issue patents or other evidence or forms of industrial property protection on applications as aforesaid, to issue the same to the said ASSIGNEE, its successors, legal representatives and assigns, in accordance with the terms of this instrument.

AND I HEREBY covenant and agree that I have full right to convey the entire interest herein assigned, and that I have not executed, and will not execute, any agreement in conflict herewith.

AND I HEREBY further covenant and agree that I will communicate to the said ASSIGNEE, its successors, legal representatives and assigns, any facts known to me respecting said invention, and testify in any legal proceeding, sign all lawful papers, execute all divisional, continuing, reissue and foreign applications, make all rightful oaths, and generally do everything possible to aid the said ASSIGNEE, its successors, legal representatives and assigns, to obtain and enforce proper protection for said invention in all countries.

IN TESTIMONY WHEREOF, I hereunto set my hand and seal this 15 day of August, 2001.

X [Signature] L.S.

State of Penn.,
County of Chester) SS.:

On 8/15/01, 2001, before me, Kathleen B. Pavlik, Notary Public, personally appeared _____, personally known to me on the basis of satisfactory evidence to be the person(s) whose name(s) is subscribed to the within instrument and acknowledged to me that he/she/they executed the same in his/her/their authorized capacity(ies), and that by his/her/their signature(s) on the instrument the person(s), or the entity upon behalf of which the person(s) acted, executed the instrument.

WITNESS my hand and official seal

Kathleen B. Pavlik

